



ELIZABETH SHOWN MILLS

Certified GenealogistSM Certified Genealogical LecturerSM
Fellow & Past President, American Society of Genealogists
Past President, Board for Certification of Genealogists

141 Settlers Way, Hendersonville, TN 37075 • eshown@comcast.net
www.EvidenceExplained.com • www.HistoricPathways.com

DATE: 23 November 2017

REPORT TO: Witter Research Group

SUBJECT: **Samuel Witter, War of 1812: Ohio County, Kentucky, Research**

VARIANTS: Wedder, Weider, Weiter, Widder, Widdow, Wieter, Wither, Witt (+ “s” at end of each)

BACKGROUND: One Samuel Witter (aka Witer), a millwright said to have been born in Pennsylvania about 1784, enlisted on 4 April 1814 in the 17th U.S. Cavalry, a Kentucky unit. He was recruited (place unknown) by “Lt. Hackley,” then served under Capt. B. W. Sanders and Lieut. R. M. Ewing. He was discharged at Chillicothe, Ohio, on 7 June 1815.¹ In 1820, he received a patent for bounty land in Monroe County, Arkansas; but I have found no evidence of his presence there.²

The most viable candidate for this soldier seems to be this Samuel Witter (aka Witters) of Beckinridge County. Known facts at this point are as follows;

- 1810 census: Breckinridge County, Kentucky
- 1820 census: Grayson County, Kentucky
- 1830 census: Ohio County, Kentucky
- 1840 census: Marion County, Illinois. He took out federal land in Marion County in 1833 (also adjacent Clay County in 1837 which he immediately sold), petitioned the legislature to build a toll bridge on his Marion land and operated it from 1836 to at least 1840. He has not been found after the 1842 sale of his Marion land. In 1850 his son Lapsley Witter was enumerated in Ohio County, from which he migrated to Arkansas, Missouri, Texas, and then Yakima County, Washington.
- Key associates and/or neighbors in the Ohio-Breckinridge-Grayson area include *Henry Eidson, Lapsley Hall, Reuben Huff, and Lewis Huff*.³

Logan County research has yielded no proof of Samuel Witter’s presence there during the relevant time frame. One Samuel Whiders or Whidens is taxed in 1812 tax (only), for 200 acres on Drake’s Creek. A *Mary Widdows* married *Isaac Morris* there in 1811 and a *Peter Widdow* is taxed there in 1813 .⁴

¹ See E. S. Mills, “Samuel Witter, 17th U.S. Infantry, War of 1812, Enlistment Record: An Analysis,” report to Witter Research Group, 11 October 2013; and Mills, “Samuel Witter’s Fellow Soldiers, Lt. Benjamin W. Sanders’s Co., 17th U.S. Regiment, War of 1812,” report to Witter Research Group, 20 February 2012, updated 17 October 2017; both archived at E. S. Mills, *Historic Pathways* (<https://www.historicpathways.com>) under the “Research” tab.

² See E. S. Mills, “Samuel Witter (1787–1876) and the War of 1812,” report to Witter Research Group, 15 January 2012, updated 17 October 2017; and Mills, “Samuel Witter’s Arkansas Bounty Land, War of 1812,” report to Witter Research Group, 11 October 2013; both archived at *Historic Pathways* under the “Research” tab.

³ Mills, “Samuel Witter (1787–1876) and the War of 1812,” 21–28.

⁴ See E. S. Mills, “Samuel Witter, War of 1812: Logan County, Kentucky, Research, report to Witter Research Group, 23 November 2017; archived at *Historic Pathways* under the Research” tab.

Breckinridge County records place Witter there in 1810 and 1811, with legal suits extending until 1812. The first 1810 document (13 March) states that he is a millwright and **a resident of Ohio County**.

Grayson County records first place Witter there on the 1816 tax roll and carry him through 1821. Other courthouse records for that period have been destroyed. His putative mother-in-law, the widow Sarah Crask, is taxed there in 1812–13; and his brother-in-law Joseph Crask is taxed there from 1821–23.

LIMITATIONS: This block of research is limited to pre-1840 Ohio County resources microfilmed and then digitized by the Family History Library, Salt Lake City. For the associates, I am capturing only nutshells of their documents in this initial survey. All online research reported here was conducted 2–7 November 2017, unless otherwise stated.

EXECUTIVE SUMMARY

1800–1821	Does not appear on Ohio County tax rolls. (Note: On 13 March 1810, he identified himself as a resident of Ohio County when, in adjacent Breckinridge, he executed a document by which he apprenticed the 16-year-old John Fraize, son of Frederick. ⁵)
1821	Tarlton “Whitter” makes his first appearance on Ohio Co. tax rolls, with 90 acres on Panther Creek patented to J. Barber.
1822 2 Sept.	Samuel Witter makes his first appearance on Ohio Co. tax rolls, with 1100 acres on Rough Creek (now Rough River) entered by Winstead and surveyed for Newton; 1 male 21+, 2 horses, 0 children aged 4–14; \$1120 total value of property.
1823 27 Oct.	Taxed on 927 acres along Rough, 1 male 21+, 1 horse, \$920.
1824	Taxed on 977 acres on Pipe Run, entered by Winstead, 1 male 21+, 1 horse.
1824 Nov.	Appointed one of three commissioners (Witter, Benjamin Burch, and George Shrader) to review and settle the administration of the estate of Roger Robertson, deceased, administered by John Payne and wife.
1824 30 Dec.	Met with George Shrader, fellow commissioner for Robertson estate, at house of James Landrum to settle with John Payne and wife.
1825	Taxed on 977 acres, Rough, 1 male 21+, 1 horse; Joseph Crask makes first appearance with 200 acres on Pipe? Run, 1 white male 21+, 3 horses.
1826	Taxed on 722 acres, Rough, entered by Winstead, 1 male 21+, 2 horses.
1826 28 Dec.	Commissioners for estate of William Maxwell, paid 3 sums due to Samuel Witter (\$2.00, 7.50, 5.00) and received from him the sum of \$1.00.
1827 Jan	Commissioners for estate of Roger Robertson (d. 1818) paid SW for 2 days of service as a commissioner and for “returning papers to court.”
1827 16 Mar	Judgment against Witter issued in favor of Gabriel Lewis. Witter’s 732 acres on Rough Creek was seized and auctioned this day at Sheriff’s sale.
1827	Does not appear on tax roll.

⁵ Breckinridge Co., Ky., Deed Book C:2–3; FHL microfilm 422079.

- 1828 1 Dec. Paid Christopher Jackson \$1 to regain title of land forfeited at tax sale in March 1827 (deed issued on 10 October 1827), being 722 acres not otherwise described .
- 1828 Taxed on 1 male 21+, 2 horses.
- 1829 1 June Filed his tax list for 1827] reporting 722 acres, one tithe, total value \$150.
- 1829 Taxed on 732 acres, Rough, entered by Winstead, 1 male 21+, 1 horse, 2 children 4–14.
- 1830 1 June Appears on federal census as 1 male 40–49; 0 female; 1 male 15–19, 1 male 10–14; 3 males 5–9, 2 males 0–5. The children aged 10 and younger appear to be his. The child 10-14 should be a female rather than a male. The male 15–19 is not a known family member and may be an apprentice. Adjacent neighbors: Henly Burch & Liddy Lamb.
- 1830 May–Jun. Taxed on 150 acres, Rough, entered by Winsted, 1 male 21+, 2 horses.
- 1830 15 Sept. Bought 3 bunches of combs from estate sale of John Curtis.
- 1830 22 Nov. Samuel and wife “Syntha Anna” sold to William M^cullough for \$200, 234 acres on Pipe Run, being part of Issac “Winston” [Winsted] 2062-acre survey adjoining William Merewethers. Witnesses: William Maxwell and Henley Burch.
- 1831–50 Does not appear on tax rolls or other county records that have been examined.
- 1847 Son John K. Witter is taxed as a male 21+
- 1848–49 Son Lapsley is taxed as a male 21+.

RESEARCH NOTES

—TAX ROLLS—

1799

Tax rolls⁶

“W” section

_____, _harles, illegible [Likely Charles Wallace, who appears on every subsequent roll.]

COMMENT:

Much of this roll is damaged in top left quarter. In the “W” section, only four surnames are totally visible and one is partially visible. I skimmed all pages for legible surnames, on the chance that known associates from elsewhere might appear. None did. No Lapsleys appear at all.

1800

Tax rolls⁷

Eidson: No
Hall: No
Huff: No

⁶ Ohio County, Ky., “Tax Books 1799–1809, 1811–1817, 1819–1831, 1833, 1835, 1837–1839, 1841–1845,” *FamilySearch* (<https://www.familysearch.org/search/film/007834494>), especially image 16 (W section); imaged from microfilm 8189, now digital film no. 007834494.

⁷ *Ibid.*

May: No
Witter: No

7 JULY 1801Tax rolls⁸

COMMENT:

Heavily damaged. Whole pages unreadable. No Witters seen among the 10 readable "W" surnames.

14 AUGUST 1802Tax rolls⁹

Eidson: No
Hall: Jacob, Mingo (Muddy Creek, 100a 3d class)
Huff: No
May: No
Witter: No

5 AUGUST 1803Tax rolls¹⁰

Cravens: Jesse Sr. & Jr.
Eidson: No
Hall: Mingo (Muddy Creek, 100a 3d class)
Huff: No
May: No
Witter: No

6 AUGUST 1804Tax rolls¹¹

Cravens: Jesse Sr. & Jr.
Eidson: No
Hall: Mingo (Muddy Creek, 100a 3d class)
Huff: No
May: No
Witter: No

13 AUGUST 1805Tax rolls¹²

Cravens: Jesse Jr. [much of the "C" section is unreadable]
Eidson: "E" section unreadable
Hall: Much of "H" is unreadable
Huff: " "
May: No
Witter: No

⁸ Ibid.

⁹ Ibid., certified 14 August.

¹⁰ Ibid., certified 5 August.

¹¹ Ibid., certified 4 August.

¹² Ibid., certified 13 August.

11 AUGUST 1806Tax rolls¹³

Cravens: Jesse Jr. and Sr. [the latter is charged with many tracts]
 Eidson: No
 Hall: Mingo
 Huff: No
 May: No
 Witter: No

11 AUGUST 1807Tax rolls¹⁴

Cravens: Jesse Jr. and Sr. [the latter is charged with many tracts]
 Eidson: No
 Hall: Mingo "Hawl"
 Huff: Charles
 May: No
 Witter: No

30 SEPTEMBER 1808Tax rolls¹⁵

Cravens: Jesse Jr. and Sr.
 Eidson: No
 Hall: A. Clark Hall (30a 3d class, Rough), Mingo (Muddy), William (100a. no location)
 Huff: Charles
 May: No
 Witter: No

COMMENT:

The main list is followed by a list of "omitted individuals" on which there are no names of interest.

15 AUGUST 1809Tax rolls¹⁶

Cravens: Jesse Jr. and Sr.
 Eidson: No
 Hall: Clark Hall, Mingo (Muddy, **patented to Jo Barnet**), William (100a. no location)
 Huff: Charles
 May: No
 Witter: No

1810

Tax roll is not known to exist, according to the film target at image 232.

¹³ Ibid., certified 11 August.

¹⁴ Ibid., certified 11 August.

¹⁵ Ibid., certified 30 September.

¹⁶ Ibid., certified 15 August.

27 NOVEMBER 1811Tax rolls¹⁷

Cravens: Jesse [Sr.?
 Eidson: No
 Hall: Clark A. Hall, Mingo
 Huff: Charles
 May: John, 0 land, 1 white male 21+, 0 blacks, 7 horses
 Witter: No

1812Tax rolls¹⁸

Cravens: Jesse [no land]
 Eidson: No
 Hall: **Ancel**, Caleb, David, Mingo
 Huff: Charles, Richard
 May: John (still no land)
 Witter: No

COMMENT:

Ancel/Ancil/Ansel Hall (an occasional Baptist minister) will later appear amid Samuel Witter's circle of associates.

1813Tax rolls¹⁹

Cravens: Jesse [no land]
 Eidson: No
 Hall: Ancel, Calep, David (Deep Creek), James, Josiah, Mingo
 Huff: Charles, Richard
 May: John (M. Cox's militia Co.)
 Witter: No

21 NOVEMBER 1814Tax rolls²⁰

Crask:
 Cravens: Jesse [no land]
 Eidson: No
 Hall: Ancel, Clark, David, James
 Huff: Charles, Richard
 May: John, Joseph [adjacent, no land]
 Witter: No

COMMENT:

By this point, Samuel Witter is in the Army.

¹⁷ Ibid., certified 27 November.

¹⁸ Ibid., certification date [unreadable] 1812.

¹⁹ Ibid., no certification date, but carries the statement "a true copy of the books lodged in my office for the year 1813 & collectable in the year 1814."

²⁰ Ibid., certified 21 November 1814.

9 DECEMBER 1815Tax rolls ²¹

Crask:
Cravens: Jesse [no land]
Witter: No

1816Tax rolls ²²

Crask: No
Cravens: Jesse [no land]
Witter: No

1817Tax rolls ²³

Crask: No
Witter: No

1818Tax rolls ²⁴

COMMENT:
Film target states that no tax book was found for 1818.

1819Tax rolls ²⁵

Crask: No
Cravens: No
Witter: No

6 OCTOBER 1820Tax rolls ²⁶

Crask: No
Cravens: No
Witter: No
Whitter, Tarlton/Talton: No

COMMENT:

In 1821, a "Talton Whitter" emerges on the tax roll. I have gone back to the 1820 census to re-examine it on the possibility that I may have overlooked him. He is not there on the 1820 roll although he appears on the 1820 census as Tarlton Witty.²⁷

²¹ Ibid., recorded 9 December 1815; "examined and certified" 6 May 1816.

²² Ibid., "examined and corrected," 7 May 1817.

²³ Ibid., "examined and corrected," illegible date.

²⁴ Ibid., no specific date.

²⁵ Ibid., "examined and corrected," 26 May 1820.

²⁶ Ibid., certified 6 October 1820.

²⁷ 1820 U.S. census, Ohio Co., Ky., stamped pp. 114–115; indexed by Ancestry as "Tartton Wilby."

1821Tax rolls ²⁸

Whitter, Talton 90 acres, Ohio Co., 3d class, Panther [Creek] patented to J. Barber
1 male 21+, 2 blacks (0 black male 16+); 2 horses; value per acre \$2: total \$720

Crask: No

Cravens: No

Witter: No

2 SEPTEMBER 1822Tax rolls ²⁹

#663 Witter, Samuel 1100 2d class, Ohio County, Rough; entered by Winston [Winsted]; surv'd for
Newton; 1 male 21+, 2 horse, \$1120 total; 0 children

#666 Whitter, Tarlton 90 acres, Ohio Co., 3d class, Panther [Creek] entered by to J. Barber
1 male 21+, 2 horses; value per acre \$4: total \$500; 5 children

#668 Witter, Samuel [all columns blank]

Crask: No

Cravens: No

COMMENT:

Apparently the tally of children covered only the ages of 4–14—i.e., children of common age to be schooled. The last page of the list carries this note:

“Whole numbers of children between the age of four and fourteen on the South Side of Rough Creek in Ohio County are five hundred, September 2d 1822.”

27 OCTOBER 1823Tax rolls ³⁰

#667 Witter, Samuel 927 2d class, Ohio County, Rough; 1 male 21+, 1 horse, \$920 total value

#683 Whitter, Tarlton 1 male 21+, [illegible] horses; \$200 total

Crask: No

Cravens: No

1824Tax rolls ³¹

#676 Witter, Samuel 977 3d class, Ohio Co., Pipe Run; entered, surveyed & patented by Winston;
1 male 21+, 1 horse, \$1 value per acre; \$1017 total value

#694 Whitter, Tarlton 1 male 21+, 3 horses; \$250 total value

Crask: No

Cravens: No

1825Tax rolls ³²

²⁸ Ibid., especially image 496 (Whitter), “examined and corrected,” no date.

²⁹ Ibid., especially image 536 (Whitter), 540 (certification); certified 6 October 1822; the children’s note on last page is dated 2 September 1822

³⁰ Ibid., especially image 536 (Whitter), 540 (certification); certified 27 October 1823.

³¹ Ibid., especially images 597 (Whitter), 598 (Whitter); no certification or recording date.

#687 Whitter, Totten 1 male 21+, 4 horses; \$240 total value

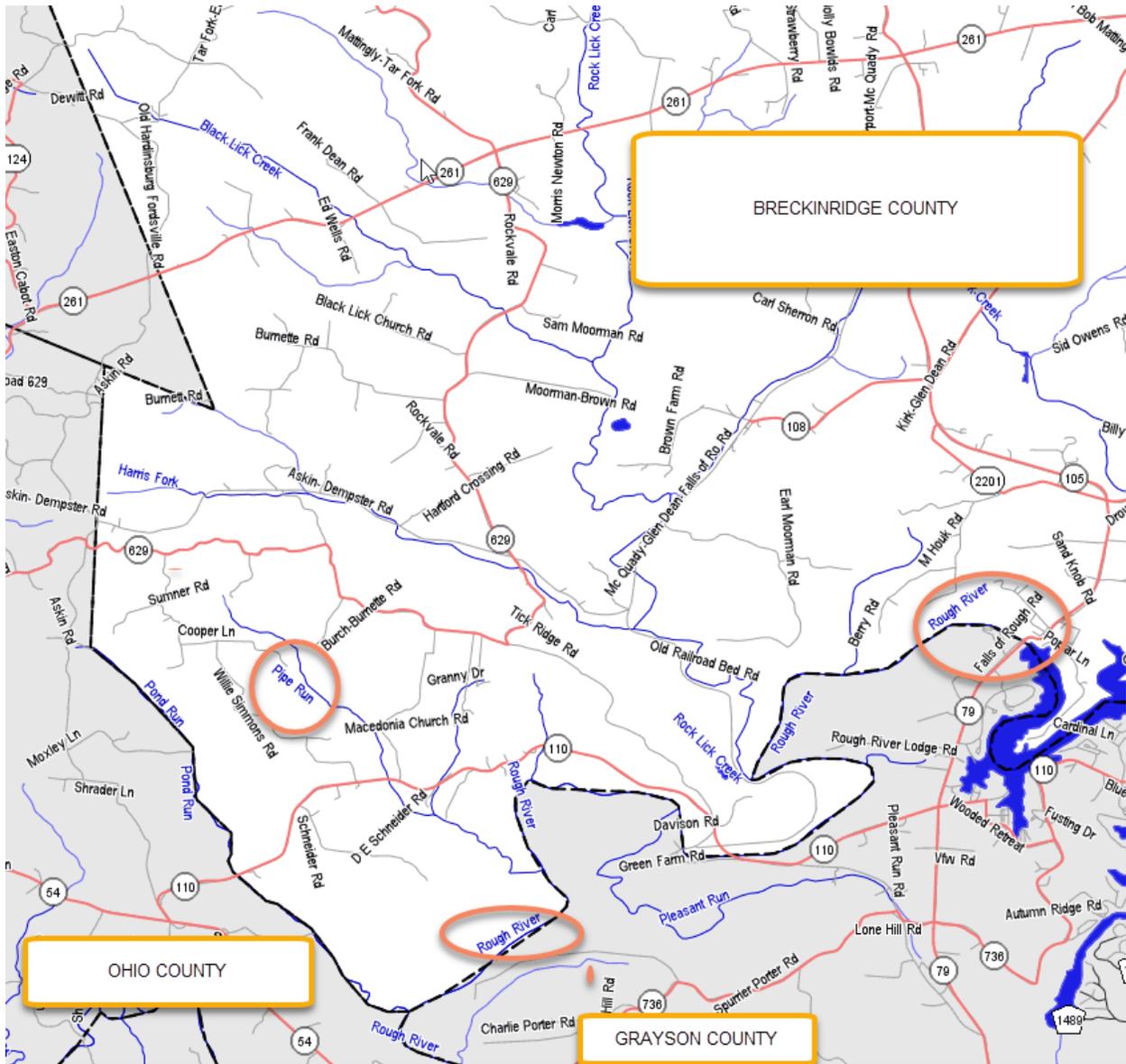
#705 Weller, Samuel 977, Ohio Co., Rough; entered, surveyed & patented [no name];
1 male 21+, 1 horse, \$1020 total value

Crask: Joseph, 200a Pipe? Run, 1 White male 21+, 3 horses, \$3 per acre, \$700 total value

Cravens: Jesse "Craven" is again listed, with no land

COMMENT:

Pipe Run and its juncture with Rough River is now in Breckinridge County.



James Baughan "and contributors," BRIDGEHUNTER (<https://bridgehunter.com/ky/breckinridge/big-map/> : accessed 26 November 2017)

³² Ibid., especially images 624 (Whitter), 625 (Witter); no certification or recording date.

1826Tax rolls ³³

Witter, Samuel 722 3d class, Ohio Co., Rough; entered, surveyed & patented by Winston;
1 male 21+, 2 horses, \$1 per acre; \$812 total value

Whitter, Taltan 390 acres, Panther Creek, patented to Barber, \$4 acre
1 male 21+, 3 horses; \$1700 total value

Crask: Joseph

1827Tax rolls ³⁴

Witter, Samuel No entry

Whitter, Tarlton 178 acres, Panther Creek, entered by Jas. Barber, \$2 acre
1 male 21+, 3 horses; \$556 total value

Whitenhill, Jacob 100 acres, Panther Creek, entered by Barber, \$2 per acre
1 male 21+, 2 horses; 350 total value

Crask: Joseph

COMMENT:

- Tarlton Whitter previous had 330 acres; he has disposed of 152 acres.
- Jacob Whitenhill is cited just after Whitter, with Barber land also, but Whitenhill had his land in the previous year also.
- *John* Whitenhill in 1830 was 8 houses from Samuel Witter. (In this year 1827, John Whitenhill is taxed on 258 acres on Rough.)
- A long delinquent list is added to the end of this role. Although Samuel Witter is not on the list, his land was sold for taxes, as will be seen under court orders and deeds below.

COMMENT:

Google Maps shows that Panther Creek flows out of Green River running through upper Ohio County from Daviess County on West to Hancock County on the east.

1828Tax rolls ³⁵

Whitter, Tarlton 108 acres, Panther, entered by Barber, \$4 acre
1 male 21+, 1 horse; \$600 total value

Witters, Samuel 1 male 21+; 2 horses; \$100 total

Crask: Joseph

1829Tax rolls ³⁶

Witter, Samuel 732 acres, Ohio Co., Rough, entered by Winston; .50 per acre
1 male 21+, 1 horse, \$400 total value; 2 children

Whitter, Tarlton 108 acres, Panther Creek; entered, surveyed, patented Jas. Barber; \$1.50 acre
1 male 21+; \$320 total value; 6 children

³³ Ibid., especially images 649 (Witter), 650 (Whitter); no certification or recording date.

³⁴ Ibid., especially images 673 (Whitter), 673–74 (Whitenhill); no certification or examination date.

³⁵ Ibid., especially images 705 (Whitter), 706 (Witters); no certification date.

³⁶ Ibid., especially image 732 (Whitter, Witter); certified 12 November 1829.

Crask: Joseph

1830Tax rolls³⁷

Witter, Samuel 150 acres, Ohio Co., Rough, entered by Winstead; \$2 per acre
1 male 21+, 2 horses, \$200 total value

Burch: Henry, 100a Ohio Co., Rough, entered, surveyed, patented by Winstead; \$.50 per acre

Crask: Joseph

Hall Lapsley, 100a Ohio Co., Rough, entered, surveyed, patented by Winstead; \$.50 per acre
1 male 21+, 3 horses, \$240 total value

COMMENT:

- Joseph Crask appears on the census of this year as aged 30–40 (b. 1790–1800).³⁸ He has not been found on the 1820 census and no widowed Sarah Crask was found in 1810.
- Lapsley Hall, Witter's alleged brother-in-law, was 3 houses from him this year on the census.

1831Tax rolls³⁹

Witter, Samuel No
Whitter, Tarlton No

1832Tax rolls⁴⁰

COMMENT:

No tax book exists, according to the microfilmer's target.

1833Tax rolls⁴¹

Witter: No entry

1834Tax rolls⁴²

COMMENT:

No tax book for this year, according to the filmer's target.

1835Tax rolls⁴³

Witter No entry

³⁷ Ibid., especially image 761 (Witter); no certification date.

³⁸ 1830 U.S. census, Ohio Co., Ky., p. 249, last line.

³⁹ Ohio County, "Tax Books 1799–1809, 1811–1817, 1819–1831, 1833, 1835, 1837–1839, 1841–1845," *FamilySearch*; no certification date for this year.

⁴⁰ Ibid., no specific date.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid., certified 3 May 1835.

1836Tax rolls ⁴⁴

COMMENT:

No tax book for this year, according to the filmer's target.

1837Tax rolls ⁴⁵

Whitter Elizabeth (400 acres), Henderson, and Bradford [heirs of Tarlton]

1838Tax rolls ⁴⁶

Whitter Elizabeth (400 acres), Henderson, and Bradford [heirs of Tarlton]

1839Tax rolls ⁴⁷

Whitter Elizabeth (413 acres), Henderson, and Bradford [heirs of Tarlton]

1840–1841

Apparently missing. Not filmed.

1842Tax rolls ⁴⁸

Whitter Bradford (300 on Panther) [son of Tarlton]

COMMENT:

John Whitenhill is also on Adams Fork, with 482 acres.

1843Tax rolls ⁴⁹

Whitter Barton, Henderson (400 on A Fork) [sons of Tarlton]

COMMENT:

John Whitenhill is also on Adams Fork, with 482 acres.

1844Tax rolls ⁵⁰

Whitter Barton, Bradford (300a, Panther), Henderson (413a, Adams Fork), [sons of Tarlton]

1845

⁴⁴ Ibid., no specific date.

⁴⁵ Ibid., especially image 894 (Whitter); certified 5 June 1837.

⁴⁶ Ibid., especially image 936 (Whitter); certified 9 June 1838.

⁴⁷ Ibid., especially image 982 (Whitter); certified 31 May 1839.

⁴⁸ Ibid., especially image 1023 (Whitter); certified 7 June 1842. The W section of this list is very faded.

⁴⁹ Ibid., especially image 1062 (Whitter); received 28 June 1843.

⁵⁰ Ibid., especially images 1099, 1100 (Whitter); received 24 May 1844.

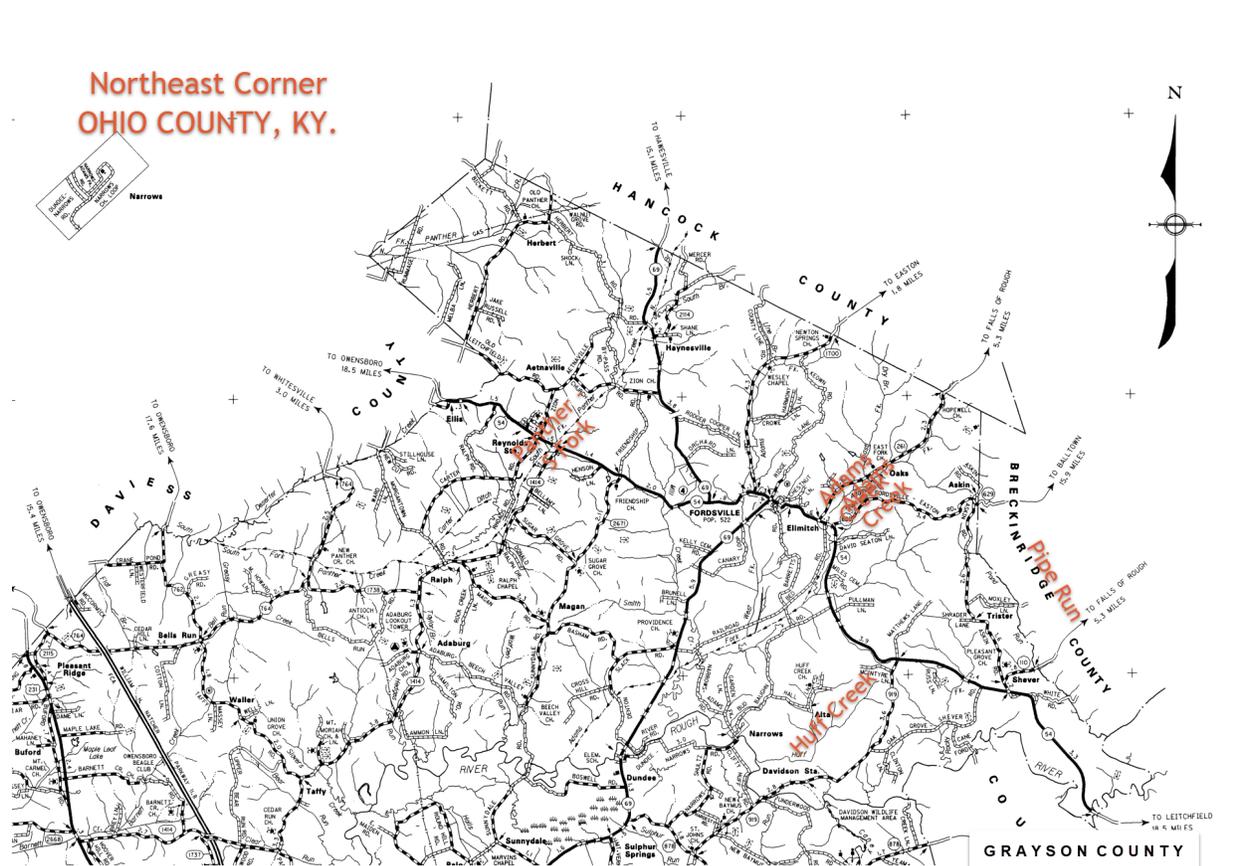
Tax rolls ⁵¹

Whitter Bradford (350 on Panther) [son of Tarlton]

1846

Tax rolls ⁵²

Whitter Bradford (350 on Panther), Barton (420, Adams Fork), Henderson (no land)



Kentucky Department of Highways, "General Highway Map : Ohio County," 1999; accessed at *University of Kentucky Computing Center* (<http://ukcc.uky.edu/maps/ghm1999/ohio.gif> : accessed 26 November 2017)

1847

Tax rolls ⁵³

Whitter Bradford (300, Panther), Barton (0 land), Henderson (413, Adams)
Witter John K., 1 male 21+, 2 horses, \$.50

⁵¹ Ibid., especially image 1140 (Whitter); certified 14 June 1845.

⁵² Ohio County, Ky., Tax Roll 1846, certified 3 July 1846; imaged in "Tax Books 1846–1852, 1857, 1859–1861, 1863–64," *FamilySearch* (<https://www.familysearch.org/search/film/007834494>), especially image 42; imaged from microfilm 8189, now digital film no. 007834494..

⁵³ Ibid., especially image 84 (Witer, Whitter); certified 24 June 1847.

COMMENT:

John K. Witer/Witter is not placed at the end of a roll as newcomers often are. Instead, he appears 5 entries above the Whitters, next to the Whittinghills.

1848Tax rolls⁵⁴**Consecutive entries:**

Wilson	Eliza
Whitinghill	Jacob (409a, A. fork)
Witter	Lapsley , 1 male 21+, 1 horse, \$30
Whittinghill	Elizabeth (50a, A Fork)
Whitinghill	Elijah N. (no land)
Westerfield	David (no land)
Witters	John , 1 male 21+, 1 stud horse, no value shown
[skip 10 'W' entries]	
Whitter	Bradford (300a P. Creek), Henderson (200 A Fork)
[skip 6 'W' entries]	
Whitter	Barton (206 P Creek)

1849Tax rolls⁵⁵**Consecutive entries:**

Witter	John , 1 male 21+, 1 horse, \$40
Wing	William
Whittinghill	Elizabeth (482a, Adams Fork)
Westerfield	David (no land)
Whitinghill	William (350, 210, 48a Rough Creek)
Witter	Lapsley , 1 male 21+, 2 horses, no value shown
[skip 3 'W' entries]	
Whitter	Bradford (320a P. Creek), Henderson (225 A Fork), Barton (206 P Creek)

1850Tax rolls⁵⁶

Whitton	Barton (206, Adams F.), Henderson (206 Adams F.), Bradford (300 Panther)
Witter	No

—CONVEYANCE RECORDS—

Grantee index, S-Z 1798–1930⁵⁷

Witters:	None.
----------	-------

⁵⁴ Ibid., especially image 128 (Witter, Witters, Whitter); certified 25 May 1848.

⁵⁵ Ibid., especially images 179 (Witter), 180 (Whitter); no certification date.

⁵⁶ Ibid., especially images 226 (Whitton); no certification date.

⁵⁷ Ohio County, Kentucky, Grantee Index S-Z, 1798–1930; imaged as "Grantee Index M–Z, 1798–1930," *FamilySearch* (<https://www.familysearch.org/search/film/008193546?cat=105167>), microfilm 583203, digital film no. 008193546. Deed Books A–H are available at FHL on film but are not yet digitized online.

Grantee Index, A-E, 1798–1950⁵⁸

Atterbury: Richard (1815: 100a **Whetstone Creek** from James & Piney Landrum, D:254–55)

Burch: Henley (1826-27, bought 400 acres from Benjamin Burch, apparently on **Long Falls Creek** E:858 and AA:395; also 100+ acres from James & Piney Landrum)

COMMENT:

See subsequent note for Samuel Witter's activity with James Landrum.

Cravens: Jesse (1798: appt as J.P., A:5; 1799: Lot in Hartford, A:29)

Elijah (1799: Rough Creek, A:34)

Thomas: No

Eidson: James (1824: 314A, location not stated; 1835: **75a Mill Run** Creek, Book F:445)

William (1829: Hartford; 1835: "Rough R," F:444; 1836: Muddy Creek, C:106)

Moorman H. (1835: "2 tracts")

Henry, from 1844 (375a Rough Creek, Book I: 403 or 408)

COMMENT:

- 1830, Richard Atterbury was next door to Henley Burch and 2 houses from Samuel Witters
- 1830, Henley Burch was next door to Samuel Witters
- 1830, Henry Eidson was 6 houses from Lapsly Hall and 9 from Samuel Witters

Grantee Index, F-L, 1798–1950⁵⁹

Hall: Lapsley, no entry

Mingo, certificate of emancipation by Ignatius Pigman, 1799, A:14

Rachel & Sophia, ditto, 1802, BB: 8, 130

Grantor Index, N–V, 1798–1950⁶⁰

Grantor Index, W–Z, 1798–1950.⁶¹

Commissioner's Deeds, 1817–1975

Equity Case Files, ca. 1800–1889

COMMENT:

These have been filmed but are not yet online.

Deed Book F: 93**1 December 1828**

⁵⁸ Ohio County, Kentucky, Grantee Index A–E, 1798–1930; imaged in "Grantee Index A–L, 1798–1930," *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4F-X9CF?i=292&cat=105167>), microfilm 583203, digital film no. 008193546.

⁵⁹ Ohio County, Kentucky, Grantee Index F–L, 1798–1930; imaged in "Grantee Index A–L, 1798–1930," *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CS4F-X9CF?i=292&cat=105167>), microfilm 583203, digital film no. 008193546.

⁶⁰ Ohio County, Ky. Grantor Index N–V, 1798–1950; *FamilySearch* (<https://www.familysearch.org> : catalog accessed 2 November 2017), microfilm 583200, not imaged online.

⁶¹ Ohio County, Ky. Grantor Index W–Z, 1798–1950; *FamilySearch* (<https://www.familysearch.org> : catalog accessed 2 November 2017), microfilm 583201, not imaged online.

“This Indenture made and entered into this 1st day of December 1828 Between Christopher Jackson of the County of Ohio and State of Kentucky of the one part, and **Samuel Witter** of the said County and State of the other part, Witnesseth that the said Christopher Jackson for and in consideration of the sum of One Dollar Current money to him in hand paid, the receipt whereof is hereby acknowledged and himself fully Satisfied doth hereby bargain sell and Convey and by these presents give grant bargain make over release and Convey to the Said **Samuel Witter** all his right title interest claim and Demand in and to a Certain tract or parce of land **Containing seven hundred and Twenty one acres** of land Situate in the County and State aforesaid on the **Waters of Rough Creek** it being the same tract or parcel of land on which the said **Witter** now lives and the same land purchased by the Said Jackson at a Sale made by the Sheriff of Ohio County on the **16th day of March in the year 1827**. The Sale being made by the Sheriff under and by virtue of an Execution which issued from the Clerks office of the Circuit Court of Ohio County afsd in favour of **Gabriel Lewis** against the said **Witter** and which land was deeded to Said Jackson by John C. Rogers the then Sheriff of Said County by Deed bearing date the 10th day of October 1827 for a more particular description of the said land a reference to Said Deed recorded in the Said Clerks Office will fully and at large appear To have and To hold the Said **Samuel Witters** & his heirs forever the said tract of land containing seven hundred and Twenty one Acres as before described and the said Jackson for himself and his heirs doth hereby release to said **Witters** all his right title & claim to Said land ahd hereby Covenants to and with the Said **Witters** that he will Warrant & Defend the title to the same from the claim of himself and his heirs but from the Claim of no other person. In Witness whereof the said Jackson doth hereunto set his hand and Seal the day and year aforesaid. [Signed] Chris Jackson. C__.

“Commonwealth of Kentucky Ohio County To wit

“I Charles Henderson Clerk of the County Court for said County do Certify that on the 1st day of December 1828 the foregoing Deed was acknowledged before me in my office by Christopher Jackson a party thereto to be his act and Deed and hence admitted to record. [Signed] Chs. Henderson.”⁶²

TO DO:

The Sheriff’s sale of 16 March 1827 needs to be located in the deed books for the referenced land description and other relevant details. Given that it was a sheriff’s sale, it would not typically have been indexed under Witter’s name. It will likely be indexed under

- Sheriff to Christopher Jackson or
- John C. Rogers to Christopher Jackson

Deed Book F:286–87;

22 November 1830

“This Indenture made this 22nd day of November in the year of Christ Eighteen hundred and thirty between **Samuel Witter** and **Syntha Anna his wife** of Ohio County Kentucky of the One part and **William M^cullough** of Grayson County and State aforesaid of the other part Witnesseth that said **Samuel Witter** and his wife for and in Consideration of the sum of Two hundred Dollars to them in hand paid the receipt whereof they do hereby acknowledge on the following conditions and Terms: Viz, that Should be land hereafter named or any part of it be taken by a better claim than that under which said **Samuel Witter** holds he is not to refund the above named Sum of money and interest to Said William M^cullough but Conveys him all the interest and benefit of his recourse on **James Landrum** from whom said Witter purchased said land to alow Said M^cullough to bring an action against said Landrum in his said Witters

⁶² Ohio Co., Deed Book F: 93; FHL microfilm 493644, item 2; copy provided by Luana Darby, Lineages by Luana, Salt Lake City, Utah.

name and to recover his proportion according to the quantity of land said M^culough buys of said Witter out of the consideration named in the Deed of Conveyance from James Landrum to Said Samuel Witter. The Said Samuel Witter and his wife hereupon do sell and transfer unto Said M^culough all their right and title of a certain tract or parcel of land in Ohio County on the Waters of **Pipe run**, a branch of **rough Creek** to Contain **two hundred and thirty four acres** by survey being a part of **Isaac Winston's [Winsted's] 2062 acre Survey** included in the following meets and bounds (viz)

Beginning at a White Oak marked WM north East Corner to **William Merewethers**, thence N75° E 90 poles to a multberry, thence North 100 poles to two black gums and white Oak, thence South 65° W 20 poles to two white Oaks thence N 17 W 90 poles to three hickories, thence West 138 poles to two white oaks, thence S 26° W 80 poles to 2 White Oaks and Elm, thence South 133 poles to a White Oak and hickory, thence East to the Beginning.

“To Have and To Hold said land free from the claim of sd **Samuel Witter** and **Synthanna** his wife or their Heirs forever but should sd land be taken by a better claim than that which said Witter hereon sells to s^d M^culough then said Witter is to convey to said M^culough the benefit of his recourse on James Landrum or as much thereof as will amount to his proper possession of this land Witter bought of Landrum. In Testimony whereof the said **Samuel Witter** and **Synthanna** his wife have this day hereunto set their hands and afixed there Seals in presence of ATTEST: William Maxwell, Henley Burch. [Signed] Samuel Witter {LS} [Legal Seal], Syntha anna Witter {LS}.”

“Commonwealth of Kentucky, Ohio County Towit

I Charles Henderson clerk of the County Court for the County aforesaid do Certify that this deed from Samuel Witter & wife of William M^culough was this day produced to me in my office and proved to be the act and Deed of the said Samuel Witter & wife by the oaths of Henly Burch one of the Subscribing Witnesses thereto, whereupon the Said Deed was admitted to record. Given under my hand this 4th day of July 1831. [Signed] Chas. Henderson.”⁶³

COMMENT:

In 1829, Witter was taxed on 732 acres. After the above sale, he should have 408 acres. The tax roll created this fall charges him with only 150 acres. No deed has been found by which he disposed of the missing 258 acres *or* the 150 acres that he still at the time of the Fall 1830 tax roll.

TO DO:

When the Ohio County deed books come online, skim them page by page for embedded entries.

—COURT RECORDS—

Order Books, Vol. 1, 1799–1806⁶⁴

COMMENT:

- The flyleaf states “This index refers [to] Deed Book A.
- Jesse Cravens appears as “Esquire” throughout much of the book

⁶³ Ohio Co., Deed Book F:286–87; FHL microfilm 493644, item 2; copy provided by Luana Darby, Lineages by Luana, Salt Lake City, Utah.

⁶⁴ Ohio County, Ky., Order Book 1, 1799–1806; imaged in “Ohio County, Ky., Order Books, 1799–1817,” *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C9PK-HS6S?i=12&cat=126698>), microfilm 1912998, imaged as film no.7646780.

- Index shows no other names of interest; read both columns of each index page

Order Books, Vol. 2, 1806–1808⁶⁵

COMMENT:

Unindexed. Skimmed each page. Even though Samuel Witter is not in the county this early, I am taking notes that help me to understand the process by which mills were built and the community in which he would subsequently appear.

p. 28

November Term 1806

“On the motion of **Jesse Cravens** a ferry is Established on his land near or at his **mill** on **Muddy** whereupon he together with Joshua Bernard his Security entered into and acknowledged a bond in the Penalty of Twenty pounds conditioned as the Law directs.”

p. 48

November Term 1806

“An Inquisition of a Mill Where Peter Hedges is about to Erect a **water Grist Mill** on Rough Creek. Returned into Court & not being approved by the court is ordered to be rejected.”

“On the motion of Peter Hodges who is about to Erect a water grist mill on Rough Creek on the second fall above the mouth thereof & wishes an abutment on the lands of Sanders—ordered that the sheriff summons a legal Jury to go on Said Land on the second Saturday of January 1807—and make due return as the law directs.” (image 185)

p. 81

August Term 1807

“Ordered that Harrison Taylor Jr. be appointed overseer of the road from the Fishtrap Ford on Rough Creek near Hartford to the 1 ½ Mile Tree in the direction to Elizabth and that he have for his hands His own, Danl. L. Morrison, and all those on this side [of] Rough within one mile [of] **Wallace’s old mill** to assist him to keep the same 30 feet wide as the Law directs.” (images 201–202)

COMMENT:

The Wallaces are my direct ancestors in the Shown Line. Harrison Taylor is a Shown in-law.

p. 90

September Term 1807

“Inquisition on a writ of ad quod Dammum on C_____ whereon Peter Hedges is deserving of erecting an abutment for a **water grist mill** on **Rough Creek** on the first falls above the junction of said Creek with Green river, returned into Court by Joseph Barnett Late deputy Sheriff of this County & ordered to be recorded as follows, to wit, ‘agreeable to a call Made by the Sheriff of this County upon a writ of ad quod Dammum, we the under signers met on the Lands of [blank space] at the Lower falls of Rough Creek opposite where Peter Hedges is about to erect a water Grist Mill and proceeded to condemn one acre of Land Beginning at a maple on the Bank of the said Creek and to follow the lines as Layed off by the Surveyor (p. 91) of Ohio County and we on our oaths do believe the aforesaid acre of Land to be worth two Dollars and further upon Viewing the Lands above and below we do believe that the property

⁶⁵ Ohio County, Ky., Order Book 1, 1799–1806; imaged in “Ohio County, Ky., Order Books, 1799–1817,” *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C9PK-HS6S?i=12&cat=126698>), microfilm 1912998, digital film no. 7646780.

of others will not be Injured by the dam provided that the aforesaid dam is not built more than Six feet high and we do believe that ordinary Navigation will not be obstructed by it or Risk of passage be hindered or the health of any Neighbourhood will be annoyed. Given under our hands and seals **this 20th day of June 1807**. Signed: Jno. Bennett, Henry Stevens, John Bennett Jr., Stephen Rowan, Joshua Chapman, Jno. Miller, John Douglas, Chesly Callaway, Thomas Stevens, Benjamin Benton, William Hedges, Jeffries Bennett.'

"Ordered that said Mill be established agreeable to said report and the said Peters paying the sum of Two Dollars for the acre of Land so Condemned provided his Dam does not exceed Six feet in height."

COMMENT:

Rough Creek (now Rough River) Runs into Green River, as does Panther Creek.

pp. 95–96

November Term 1807

"On motion of Joshua Crow who is desirous of erecting a **water Grist mill** on **Rough Creek** on the first falls above Hartford where the road now crosses said Creek on Lands of which he is owner on the North side and on the other side the heirs of Gabriel / Madison deceased are owners, Legal notice appearing to have been given [it is] ordered that a writ of ad quod Damnum issue to the sheriff & &c &c to meet at said falls on the 3d Tuesday in the present month to enquire & that said sheriff make returns." (images 208-9)

Order Books, Vol. 3, 1810–1817⁶⁶

COMMENT:

FHL's catalog entry for this volume says "Unindexed." I skimmed each page for relevant entries. At the end, there *does* appear an index. However, the scanning time was not wasted. I got much more out of this volume by having read every page.

pp. 6–7

January County Court 1810

"On the motion and application of David Glen for a writ of ad quo Damnum, he representing that he is owner of the fee simple property on the one Side of **Panther Creek**, a Stream in this Cty, whereon he is desirous of erecting a **water Grist mill** and a dam across the same for working therefore and hath prayed that a writ of ad quo damnum may issue agreeably to law, Ordered that the writ issue, commanding the Sheriff that he Summon and impannel a Jury according to law to meet on the fifth Thursday in this present month and that the writ issue in the usual form for the purpose of condemning Land _eat & an acre of land for an Abutment agreeably to the Act of assembly in that case made & proved &c." (image 288)

pp. 8–9

January County Court 1810

"The Writ of ad quod damnum issued agreeably to an order of the last court in favour and on motion of David Glenn was returned by the Sheriff together with the report of the Jurors and the same being approved is ordered to be recorded and on consideration of said report, it is ordered that the said Glenn have leave to build his mill and dam agreeably to the said report on his paying to the proprietor of the

⁶⁶ Ohio County, Ky., Order Book 1, 1799–1806; imaged in "Ohio County, Ky., Order Books, 1799–1817," *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-C9PK-HS6S?i=12&cat=126698>), microfilm 1912998, digital film no. 7646780.

[said?] ground condemned by the Jurors, the sum of one dollar mentioned n said report & also 216? per acre for ten acres which is supposed will be overflown.” (image 289)

QUESTION:

Might Samuel Witter be the mill wright that David Glenn hired in the wake of this court order?

In March 1810, “Samuel Witter of Ohio County” went to the adjacent county of Breckenridge where he apprenticed the nearly sixteen-year-old son of Frederick Fraize, to teach him the craft of mill wright. Witter does not appear on Ohio County tax rolls (or any known record) of this period, suggesting that he had just come into the county.

The Glenn mill is the only one authorized in the year 1810. If one had been previously authorized in 1809 (a year for which records are missing) there was no carry-over action in 1810. Authorization for Mills were relatively few in these minutes. I have taken notes, above, for each authorization and noted those preexisting the creation of the county.

p. 19 (image 294) May 1810

David Glenn and William Huston are appointed to two of the 14 county-commissioner slots.

p. 29 (image 299)

August 1810

Road order mentions **Jesse Craven’s mill** along Green River (image 299).

pp. 34–35

August County Court 1810

“Agreeably to an act of the assembly divideing [*sic*] the several Counties of this Commonwealth unto patrol districts, It is ordered that Ohio County be divided as follows: beginning on **Rough Creek at Wallace’s Old Mill** and running a direct line to the **Butler line** so as to include Stephen Stateler and with said line to the **Grayson [County] line** and with said line to Rough Creek and up Rough to the Breckenridge [Line] and with said line to **Panther Creek** [site of **Glenn’s mill**] and down said Creek to the road leading from Nathaniel Bell’s settlement to **Elijah Miers Mill** thence down rough Creek to the beginning, To compose the first district, and that John Mason be appointed Captain of the Patrole and that David Marks, Robert Carden, James Thomas do assist the said Captain in his said district to execute the duties of his said office, and that they Patrole not exceeding twenty four hours in each month, and all the rest of the County laying south of said district and on the upper side of Rough Creek shall compose the second district ...” (image 302)

p. 66

January County Court 1811

Michael Myers applies for a writ of “adquoddamnum,” by which he might (if approved) erect a **water grist mill** on his land on **Rough Creek**, along with a dam on the opposite bank. So ordered. Jurors to meet on 3d Tuesday of the present month. (image 318)

pp. 77–78

March County Court 1811

New order of ad quod damnum issued in favor of Michael Myers, the prior order not having been carried out. Jurors to meet 1st Monday in April. (images 323–24)

p. 87

June County Court 1811

Joshua Crow seeks writ of ad quod damnum. Wants to open a **water grist mill** on his land on one side of **Rough Creek**, etc. Jury to meet on the 20th of June “for the purpose of condemning said seat and also land for an abutment.” (image 328)

p. 97

August Term 1811

Court heard arguments pro and con Joshua Crow’s plan to erect a mill. **Jesse Cravens** [a miller who is shown elsewhere in this volume to be the administrator of the estate of Gabriel Madison], argued against it on behalf of the Madison heirs. Court ruled in favor of Crow. The heirs (whose land on the opposite side of the river was being appropriated) appealed and posted a bond of \$200. (image 334)

COMMENT:

Throughout the road orders in this series, *mills* are used as the starting and stopping points for road construction and upkeep. Ferries are also cited, but not as often as mills. There obviously was an extensive network of roads connecting mills.

p. 259

June Term 1814

Ad quod damnum proceedings at request of Elijah Hogg who wants to build a **water grist mill** on **Green River**. Etc. (image 415)

COMMENT:

By this time, Samuel Witter has joined the U.S. Army. No presence of him has yet been found in Ohio County, even though a March 1810 Breckinridge County document identifies him as a resident of Ohio.

If the young woman and any of the children in his 1810 Breckinridge household were his, given his financial status in 1811–13, it seems that his wife and children would be left without support—raising the possibility that they might appear in the county court records as paupers or as children needing to be bound out for lack of parental capability. The records do not show any such reference; nor does Rebecca’s Crask family appear in these county minutes before 1825.

p. 297

November Term 1814

Ad quod damnum proceedings on behalf of Benjamin Gilbert to erect a **water grist mill** on his land on **Muddy Creek**. (image 434)

Court orders, vol. 4, 1818–1828⁶⁷

Witter: No entries

County Court Order Book 5, 1829–1842⁶⁸

COMMENT:

This volume is indexed.

⁶⁷ Ohio County Court Orders, vol. 4, 1818–1828; imaged in “Vols. 4–7 1818–1855,” *FamilySearch* (<https://www.familysearch.org/search/film/007672458?cat=126698>), film 191299, digital film no. 007672458.

⁶⁸ Ohio County Court Order Book 5, 1829–1842; imaged in “Vols. 4–7 1818–1855,” *FamilySearch* (<https://www.familysearch.org/search/film/007672458?cat=126698>), film 191299, digital film no. 007672458.

p. 17*Consecutive entries:*

1 June 1829

“**Henley Burch** who omitted to list his Taxables & Titheables for the year 1828 Ordered that he have leave to do so now, To wit 169 [acres] 3d rate land, 400 acres “do.” [ditto, i.e. 3d rate land], w Horses, one tithe. Total value \$350. Ordered to be Certified to the auditor & Sheriff.

“**Samuel Witters** who Omitted to list his Taxables & Titheables for 1828 [1827] has leave to do so now, To wit 722 3d rate land,one tithe, Total value \$150, [“one tithe” is inserted again, between lines, at this point] Ordered to be certified to the auditor & sheriff. (image 409)

COMMENT:

As shown in the 1828 deed above, Samuel had lost his land at tax sale in 1827. As shown in the tax notes, he does not appear on the 1827 tax roll but does appear in 1828. Although this June 1829 court order states that Samuel is being allowed to file his 1828 list, it is clear that a clerical error appears and that the list should be for 1827.

The 1830 census lists Henly Burch and Samuel Witters as next door neighbors (with Lapsley Hall, Witter’s alleged brother-in-law, just one house from Burch). Other associations with Henly Burch’s father and Samuel Witters also appear in this set of notes.

p. 21

“Ordered that **James Eidson** be appointed Surveyor of that part of the road leading to **Hardingsburg** from Jacob Woods to the north side of **Hall’s Creek** and that he have the following hands to keep the same in repair 30 feet wide as the law Directs To wit: Jacob Wood, [blank] Cartland, **James Eidson Senr.** & hands William Stewart, Cornelius Stewart & Bazile Stewart, Nicholas Taylor, Archibald Stewart.” (image 411)

COMMENT:

The plug of land where Breckinridge, Grayson, and Ohio come together seems to have been Witter’s locus across three decades.

1810: James Eidson is near neighbor of Samuel Witter and Reuben Huff (Breckinridge Co.)

1830: Henry Eidson and Lewis Huff are near neighbors of Samuel Witter (Ohio Co.)

Hardinsburg is the county seat of Breckinridge County, which lies to the northeast of Ohio.

p. 27

2 November 1829

“A List of Deeds recorded in the County Court of Ohio from first Oct 1828 till the 1st October 1829. Ordered to be recorded

Christopher Jackson to **Samuel Witter** [no date given] (image 414)

COMMENT:

Christopher Jackson appears in the 1808–14 as the county clerk, then as one of the Commissioners [justices] of the peace.

See Deed Book F: 93, 1 December 1828, transcribed above, for the deed itself.

Matthews, George Mathews [skip 2] Lapsley Hall [Witter's brother-in-law], [skip 2] Samuel Witter.

From this, we should be able to place Witter within a mile or so on the map. After a county-line readjustment between 1830 and 1840, this area fell into (and still is in) Breckenridge County.⁶⁹

p. 90

November 1831

"A list of Deeds recorded in the County Court of Ohio County from 1st day of October 1830 to 1st of October 1831." Includes

50 **Samuel Witter** to Wm. McCullough 4 July 1831 (image 448)

COMMENT:

This two-page list has 3 columns. Column 2 cites grantor to grantee. Column 3 cites the date. Column 1 carries this "50" for every entry.

p. 162

5 May 1834

"Ordered that **Elizabeth Whitter** widow of **Tarlton Whiller** [*sic*] and Betsy Crow, Patsey Miller, **Bradford Whiller, Polly Whitter, Henderson Whitter, Bardney Whiller, Nancy Whitter, Lucinda Whiller, Surrena Whitter**, Heirs of said decd. do appear here at the next court to shew cause why the nuncupative will of said **Tarlton** [*sic*] decd. should not be proved & established." (image 485)

COMMENT:

This scribe, throughout these orders, frequently omits crossbars on his *ts*, making them appear to be *ls*. A slight distinction is noted in cases where *l* and *t* appear together, the *l* will usually have a loop that the *t* doesn't have. If the name were indeed Whiller (Wheeler, etc.) it is not likely that the scribe would have used the cross-bar in as many cases as he does above.

On the surface, this "Whitter" family does not appear to be associated with Samuel Witter. His given name implies that he was of English origin, rather than German as Samuel apparently was. No older Witter/Whitter family is found in the county, from which Tarlton and Samuel might descend.

The 1830 Daviess County census cites his age as 40–50.

p. 168

2 June 1834

"An Instrument of writing purporting to be the noncupative will of **Talton Whitter** decd was Exhibited in Court and proved by the oaths of Jeremiah L. Kelly and **Ancil Hall** Subscribing Witnesses thereto and ordered to be recorded and thereupon On motion of **Elizabeth Whitter** who took the oath required by law and with Ancil Hall & Jeremiah L. Kelly his security Executed bond in the penalty of \$1200 conditioned as the law directs a certificate is granted her for obtaining letters of adminitration of the Estate of Talton Whitter decd. in due form with the will annexd." (image 488)

COMMENT:

The presence of Hall and Kelly in this document adds suggestive evidence, given that

⁶⁹ Thorndale and Dollarhide, *Map Guide to the Federal Censuses*, 1830 and 1840 maps.

- Samuel Witter allegedly has a brother-in-law Lapsly *Hall*, after whom he named his own son Lapsley Witters.
- One John *Kelly* was five houses from Samuel Witter on the 1830 census and Samuel named another son John “Kella” Witter.

p. 169

2 June 1834

“Ordered that **John Haynes**, Hardin Haynes, Charles Haynes & John G. Mobberly or any three of them being being [*sic*] first sworn do appraise in current money the slaves if any and personal Estate of **Talton Whitter** decd. & report in Due form.” (image 489)

COMMENT:

This evidence, too, is suggestive. One John B. Haynes lived just 10 houses from Samuel Witter in 1830.

In 1838, when Samuel and Synthianna, as residents of Marion County, Illinois, sold their land in adjacent Clay County, they had the document drawn up by a Marion County j.p. named **William D. Hayne**. I need to investigate the possibility that WDH could have migrated to Marion with Samuel and Synthianna.

p. 201

7 September 1835

“Ordered that Josiah **Haynes**, **John Whitenhill**, Edward Dehaven & **Ansel Hall** or any three of those being first Sworn do appraise in current money the slaves if any and personal Estate of **Charles Huff** decd. & report in due form.” (image 505)

COMMENT:

- John Whitenhill appears 8 houses from Samuel Witter on 1830 census, 2 houses from *John B. Haynes* (of the Talbot Whitter document above) and 4 houses from *Lewis Huff*.
- Ansel/Ancil Hall of this document (and the Whitenhill-Witter neighborhood) also appears in the Talbot Whitter document above.

Stopped at image 541, p. 274, January 1838. Samuel Witter is now firmly ensconced in Illinois and Tarlton Whitter is deceased.

Court Order Book 6, 1842–49Begins 7 March 1842⁷⁰

COMMENT:

On 8 February 1842, Samuel Witter and wife Synthianna sold their one tract of land in Marion Co., Ill., and disappeared from known records. His sons John K. and Lapsley were back in Ohio County by 1848 and 1849, respectively, when they were taxed as landless polls.

I am resuming my reading of Ohio County court minutes at this point, on the possibility that Samuel and Synthianna may have returned to Ohio County, where Samuel appears to still own land.

⁷⁰ Ohio County Court Order Book 6, 1853–1849; imaged in “Vols. 4–7 1818–1855,” *FamilySearch* (<https://www.familysearch.org/search/film/007672458?cat=126698>), film 191299, digital film no. 007672458.

This volume has an index at the back, showing no Witter entries. I still skimmed the pages looking for buried references to unindexed names.

p. 39

5 December 1842

"An appraisement & Sale bill of the Estate of Ansel Hall decd returned into Court approved & ordered to be recorded." (Image 664)

TO DO

Search Probate volumes for this estate to see who bought items.

p. 228

26 October 1846

"The last will and testament of **John Whittinghill** produced in Court and proved By the Oaths of Joel H. Cobb and Chas. W R. Cook Subscribing witnesses thereto who also prov____ the hand writing of Warner Cobb another Subscribing Witness thereto and Ordered to be Recorded and therefore William Whittinghill and Peter Whittinghill the exers therein named took the Oath required By Law Bond being dispensed with By the provisions of sd will."" (image 759)

p. 287

28 December 1847

"An appraisement an Sale Bill of the Estate of Feliz Y. King by **Cynthia** F. King, his admx was produced in Court approved and ordered to be recorded." (image 790)

Court Order Book 7, 1849–55

Begins July? 1849⁷¹

COMMENT:

The index has an index at the end, with one reference to "Henry Whitter Jun. 26." I've skimmed all pages in search of buried name.

The road orders contain no references at all to Pipe Run or to the individuals who were Witter neighbors in 1830 and 1850, with the exception of Eidson. John Whittinghill's sons William and Peter appear as commissioners of estate of Edward Smith, administered by the widow Martha (p. 112, image 903).

Stopped reading at the end of 1850. Both of the Witter brothers, John K. and Lapsley, are dropped from the tax rolls in 1850.

⁷¹ Ohio County Court Order Book 6, 1853–1849; imaged in "Vols. 4-7 1818-1855," *FamilySearch* (<https://www.familysearch.org/search/film/007672458?cat=126698>), film 191299, digital film no. 007672458.

—PROBATE RECORDS—

Wills [& Estates], A, 1801–24⁷²

COMMENT:

The wills, inventories, and sale accounts in this series are not in consecutive order. We find, for example, 1813 or 1822 sales amid documents of the 1830s. I'm scanning each page until I reach a point that I feel the further likelihood of pre-1835 documents is slim.

Both volumes used for this project carry indexes. However, I am scanning for embedded names.

p. 6⁷³

June Term 1801

"An inventory of the Bonds belonging to the Estate of Robert Barnet deced."

Ignatius Pigman to order Excepted from }

Jesse **Cravens** as attorney for Nicks Welsh }

4.13.9

Wills [& Estates] B, 1824–41**pp. 56–57⁷⁴**

26 March 1834

"**Talton Whitter** being very sick and confined to his bed at his place of residence in the county & state aforesaid [*sic*] on the day & date above named, did relate to us whose names are hereunder assigned the following nuncupative will VIZ I want my wife to have all that I possess during her widowhood or life and that my two youngest sons Henderson and Bardney pay Ten hundred & forty Dollars that I owe for my land and have it and that the rest of my property at the end of the Widdohood or life of my wife be equally divided among my two children that has left me & I have given them as much as I am able to give them. [Signed] Jeremiah C. Kelly, Ancil Hall.

(p. 57)

"Ohio County Sat. June County Court 1834

"An instrument of writing purporting to be the nun-cupative will of **Talton Whitter** decd. was exhibited in court & proved by the oaths of Jeremiah L. Kelly & Ancil Hall Subscribing witnesses thereto & ordered to be rendered & thereupon motion of **Elizabeth Whitter** who took the oath required by law & with Ancil Hall & Jeremiah L. Kelly her security Executed bond in the penalty of \$1200 conditioned as the law directs. A certificate is granted her for obtaining letters of administration of the Estate of Talton Whitter decd. in due form with the will annexed."

COMMENTS:

Talton/Tarilton/Totten Whitter married Elizabeth Cox 13 February 1806 in Washington County, Kentucky.⁷⁵ The 1830 census gives us the following data:

⁷² Ohio Co., Ky., Wills [& Estates] A, 1801–1824; imaged in "Ohio County, Kentucky Wills, 1801–1955; Indexes 1801–1988," *FamilySearch* (<https://www.familysearch.org/search/film/004819551?i=382&cc=1875188&cat=124618>), images 220–21; citing microfilm 494934.

⁷³ *Ibid.*, image 14.

⁷⁴ Ohio Co., Ky., Wills [& Estates] B, 1824–1841; imaged in "Ohio County, Kentucky Wills, 1801–1955; Indexes 1801–1988," *FamilySearch* (<https://www.familysearch.org/search/film/004819551?i=382&cc=1875188&cat=124618>), images 220–21; citing microfilm 494934.

⁷⁵ "Kentucky, County Marriages, 1783–1965," database, *Ancestry* (<http://ancestry.com>), database entry "Talton Whitter," citing FHL film 000551245.

1 white male 40–49	1 white female 40–49
1 white males 15–19	2 white females 15–19
2 white males 10–14	2 white females 5–9
	1 white female 0-5

Talton was apparently born 1780–90, the same decade as Samuel Witter.

The statement about children who had already left home might suggest that Talton had an older family. However, the court order of 5 May 1834 cites two older daughters who were already married, Elizabeth Crow and Patsy Miller—suggesting strongly that they were the “two children that has left me.”

The 1850 census of Ohio County shows the following:

- Bradford Whitter (age 47), Henderson Whitter (age 43), and Barton Whitter (age 40) in the Adams Fork District, dwellings 147, 149 and 150. Note that Bradford’s age, if correct, places his birth before Tarlton’s marriage to Elizabeth.
- Elizabeth Whitter (age 60), Nancy (26), Serena (21), Barten (28), and Tarlton Crow (18)—next door to Elizabeth and Talton’s son Henderson Whitter (30) and family, and daughter Elizabeth Crow (42) and family in Harrison Taylor’s District 2, dwellings 513–515. In the same neighborhood were
 - dwelling 519, John Haynes (61)
 - dwelling 522, William Whitinghill (40)
 - dwelling 528, Peter Whitinghill (42)
 - dwelling 534, Jacob Whitinghill (47)
- Lapsley Witter (26, son of Samuel), wife Mary, and daughter Sarah F. are also in Harrison Taylor’s District 2, dwelling 623. Close neighbors included
 - dwelling 621, Elizabeth Whitenhill (66)
 - dwelling 622, Humphrey Burchs (37)
 - dwelling 624, John B. Haynes (68), who in 1830 was 10 houses from Samuel Witter. (Compare with John Whitenhill and Henly Burch of 1830 who, respectively, were 8 houses and 1 house from Samuel in 1830.)

This data set suggests two things:

1. Lapsley Witter, son of Samuel (who is last on record 1840 in Marion County, Illinois), has returned to his father’s Kentucky neighborhood.
2. Samuel Witter (b. ca. 1784–85) lived in the same close neighborhood as Talton Whitter, they were born in the same decade, and both show a pattern of giving family surnames as given names for their sons.

pp. 137–41⁷⁶

15 September 1830

Estate of John Curtis. “Bill of the sale of the property of John Curtis Deceased which took place [this day] ...”

1 Bunch combs to Samuel Witters	\$.56 ½
1 Bunch combs to Samuel Witters	.56 ½

⁷⁶ Ibid., images 261–53.

1 Bunch combs to Samuel Witters	.62 ½
1 Clock	14.50

COMMENTS:

- Some two dozen “bunches” of combs were sold in all that day. Curtis appears to have been a merchant, judging by the nature of the goods sold.
- Appraisers of Curtis’s estate on 11 September were Edward W. Moore, **Joseph Crask**, and George Matthews. Numerous online trees identify Joseph Crask as brother-in-law of Samuel Witter.]

p. 262

28 December 1826 [sic]

Estate of William Maxwell. A list of Vouchers and the compensation which we the commissioners have allowed the Administration for his charges and invoices. [A list of receipts follow]

“Receipt”	from Samuel Witter	\$2.00
do.	from Do.	7.50
do.	from do.	5.00

“Re[ceived] from ... **Samuel Witter** 1.00

“We therefore return this as our report to the above named Court as Witness whereof we hereunto sign our names this 28 December 1826. [Signed] **Samuel Witter**, George Shroedor, Comms.”

pp. 273–74January court 1827⁷⁷

Estate of Roger Robertson, “decd. in 1818.”

“The administrator [owes to]

G. Shrader [for] 3 days Services as Commissioner	\$3.00
Do. Samuel Witter 2 days services and returning papers to court	\$3.50”

“Agreeable to an order of November term **1824** Ohio County Ky ordered that George Shrader[,] Benjamin **Burch**[,] and **Samuel Witter** be appointed to settle with John Payne and wife as administrators of the estate of Roger Robertson Decd. & we George Shrader and **Saml Witter** were at the house of James Landrum on the 30 day of December and we saw a settlement with John Payne and wife as will appear from the Enclosed papers and we find & we find [sic] the sd. Payne & wife duely due the said Estate of \$530.61 ¼. Given from under our hands this 30 day of December 1826. [Signed] George Shrader, **Saml. Witter**, J. Kelly Payne?”

COMMENTS:

- Note the coupling of Samuel Witter with Benjamin Burch. The 1830 census places Witter “next door” to Henly Burch, Benjamin’s son.
- At p. 277, we find James **Eidson** as guardian of Robertson’s sons Francis, William, and Charles. James Eidson was Samuel’s neighbor in 1810; James’s son Henry was Samuel’s neighbor in 1830.
- For the proceedings held in May 1827, the commissioners were George Shreader, Walker Moore, and Jos. Haynes. Witter is not mentioned.

⁷⁷ Ibid., image 329.

Will Records, Index, 1841–1862, Vol. CBegins September 1841⁷⁸**p. 1**

5 August 1841

Proof of will of Ancil Hall “made some time in June 1841 in his last Sickness and committed to writing the 5th of August 1841, Calling on Jesse W. Chapman and Joseph P. Willis to take notes that he Desired that his wife Rachel Hall Should have his horse Called Whip and all of the present crop of corn wheate & oats also all of the hogs he bought of Moses and George Chapman ... and the rest of his property to be equully [*sic*] Divided amongst his children. [Signed] Jesse W. Chapman; Joseph P. Ellis. ... Thereupon Hardin Haynes took the oath required by law with Thomas Hall and Henderson Hall Executed bond in the penalty of \$1400.”

p. 48

19 April 1842

Will of James Eidson Sr. names sons Henry, William, James, Edmun; daughters Jane, Milly, Betsy, Mary. (image 33)

pp. 63–64

25 August 1846

Will of John Whittinghill, names wife Elizabeth and references “all my children” without naming them. (image 40)

COMMENT:

The page-by-page scanning of the entire volume searched not only for Witter or Whitter references, but also any females named Syntha, Synthianna, Cynthia Anna, or phonetic equivalents.

Inventories, 1839–49, Vol. C⁷⁹**Inventories, 1847–1853, Vol. D⁸⁰****Inventories, 1852–1857, Vol. E.⁸¹**

COMMENT:

These volumes were scanned page by page without further references found to any Witter or Whitter, or Synthianna, etc.

Inventories, 1852–1870, Vol. F⁸²**Settlements, 1855–63, Vol. A⁸³**

TO DO:

These volumes have not yet been searched.

⁷⁸ Ohio Co., Ky., “Will Book C,” imaged as “Will Records, Index, 1841–1862, Vol. C., *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:33S7-9P3K-9N95?cc=1875188>).

⁷⁹ “Kentucky Probate Records, 1727–1990,” *FamilySearch* (<https://www.familysearch.org/search/image/index?owc=37RN-K66%3A173618801%3Fcc%3D1875188>) > Ohio [County] > Inventories, 1839–1849, vol. C, 348 images.

⁸⁰ “Kentucky Probate Records, 1727–1990” > Inventories, 1847–1453, Vol. D, 280 images.

⁸¹ *Ibid.* > Inventories, 1852–1857, Vol. E, 287 images.

⁸² *Ibid.* > Inventories, 1852–1870, Vol. E, 304 images.

⁸³ *Ibid.* > Settlements, 1855–1863. Vol. A, 242 images.

—CHURCH RECORDS—

Panther Creek Baptist Church Records, 1815-1874⁸⁴

Inside flyleaf (FS image 5)

“Ancil Hall, Moderator.”

unnumbered p. 1 (FS image 6)

Membership list – left column:

Ancil Hall [No.] 20

Rebecah Davis 21 “dismist By letter”

John Hall segn? 22

Sally Hall 23

John Hall Jr 24, “dismist By letter”

Membership list—right column:

Richard May [no number]

Lucy May

Charles Haynes

unnumbered p. 3 (FS image 7)

First minute:

“October Conference 1815 held at Brother Briantt? ... Chose Brother Ancil Hall Moderator and Brother James Thomas Clerk.”

May Conference 1816 (FS image 8)

“Held at Union meeting house, Davis County.”

August Conference 1816 (FS image 8)

“The Church unanimously give their voice for Brother Ancil Hall to be their pastor.”

2? June 1822 (image 14)

“Recd ... **Sister Elisabeth Whitter** by experience and Baptism.

September Conference 1832 (image 33)

Ancil Hall at this point is back to moderator.

COMMENT:

- Minutes of 1834–35 make no mention of the death of the husband of Elizabeth Whitter.
- Stopped reading at the end of 1835.

⁸⁴ “Panther Creek Baptist Church Records, Sept. 1815–June 1874,” microfilm publication no. 1374, Southern Baptist Convention, Nashville, TN; imaged at *FamilySearch* (<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSKJ-MS6V-V?i=4&cat=456525> : accessed 21 November 2017), FHL digital no. 8151455. Many pages of this book are extremely faded and barely legible and many entries are illegible.